

ELDER ZACARIAS-LOPEZ, )  
 )  
 Petitioner, ) 2:05-cv-1156-JCM-PAL  
 )  
 vs. )  
 )  
 D.W. NEVEN, *et al.*, ) **ORDER**  
 )  
 Respondents. )  
 )  
 /

This action was dismissed without prejudice, and the case was closed administratively, pursuant to an order entered February 13, 2009 (docket #25). The dismissal resulted from petitioner's request for a stay order to allow him to return to state court to exhaust his state-court remedies with respect to certain of his grounds for relief. In the order dismissing the case, the court indicated that this case is subject to being reopened upon a motion by petitioner. *See Id.*

Petitioner's further state-court proceedings have apparently concluded, and petitioner has now returned to this court seeking to reopen this case. Respondents have not opposed the

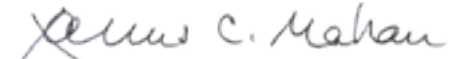
1 motion to reopen. The court will therefore grant petitioner's motion to reopen this case.

2 **IT IS THEREFORE ORDERED** that petitioner's motion to reopen case (docket  
3 #27) is **GRANTED**.

4 **IT IS FURTHER ORDERED** that the clerk shall **REOPEN THIS FILE**.

5 **IT IS FURTHER ORDERED** that respondents shall have **forty-five (45) days** from  
6 entry of this order to answer or otherwise respond to the amended petition found in the court record  
7 at docket #23.

8 Dated this 18th day of January, 2011.

9  
10   
11 UNITED STATES DISTRICT JUDGE  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26